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MEMORANDUM

APRIL 25, 1991

TO: BOSTON REDEVELOPMENT AUTHORITY AND
STEPHEN COYLE, DIRECTOR

FROM: LINDA MONGELLI HAAR, ASSISTANT DIRECTOR FOR NEIGHBORHOOD
PLANNING & ZONING
HOMER RUSSELL, ASSISTANT DIRECTOR FOR URBAN DESIGN AND
DEVELOPMENT
ERIC SCHMIDT, DIRECTOR OF URBAN DESIGN

SUBJECT: REQUEST AUTHORIZATION TO PETITION THE ZONING COMMISSION
TO ADOPT THE CENTRAL ARTERY DISTRICT ZONING

EXECUTIVE

SUMMARY: The Central Artery District Plan and Zoning were submitted to the Board for consideration on December 31, 1990, as the comprehensive plan and controls for the development of the Central Artery District. They provide a blueprint for the reuse of the 40 acres of land to be made available following the relocation of Boston's Central Artery to subsurface tunnels. The Plan and Zoning are the culmination of several years of comprehensive planning undertaken by the City of Boston and the Boston Redevelopment Authority in consultation with community, business, environmental and other interested groups. The Central Artery District is one of 11 Special Study Areas in the Downtown Interim Planning Overlay District for which planning and rezoning is proceeding on a community-based, district-by-district basis. Staff has conducted additional input and refined and the Zoning and now recommends that the Director be authorized to petition the Zoning Commission to adopt the Central Artery Overlay District Zoning.

On December 13, 1990, staff submitted the Central Artery District Plan and Zoning to the Board for its consideration. The draft zoning was taken under advisement to allow for additional public input and response to the hearing documents. The Central Artery District Plan provides a vision for the 40-acre pathway through downtown, between Causeway Street and the I-90/I-93 interchange that will become available with the depression of the Central Artery. The Plan provides for a dramatic improvement in the quality of life in the City with the creation of a major new park system, new neighborhood housing, and commercial space. The proposed Central Artery Overlay District Zoning provides the regulations to implement this land use plan.

Comprehensive Planning Goals

Five comprehensive goals have been developed to guide the development of the Plan and Zoning:

- ▶ To provide much needed parks, gardens, and other public amenities to balance the high-residential and commercial densities and the relative lack of existing open space in downtown Boston.
- ▶ To preserve the value of downtown Boston's existing asset base, including the over \$3.7 billion invested in downtown development since 1975, and promote downtown Boston as an international center for business and tourism in the next century.
- ▶ To preserve and enhance environmental quality in downtown Boston, including issues of air quality, traffic congestion, and microclimate concerns such as wind and shadow. By concentrating new development at transportation hubs such as North and South Stations, Central Wharf, and the Midtown Cultural District instead of along the corridor, the plan helps assure that additional traffic congestion, noise, and air pollution will not impact the heavily developed downtown.
- ▶ To develop an urban design scheme for the Central Artery District that responds to the engineering challenges of the subsurface tunnels and to the opportunity afforded to design a substantial piece of the city -- the entire Artery Corridor -- in a comprehensive manner.
- ▶ To implement the long-term planning goals for the city, as articulated in the Downtown Interim Planning Overlay District Zoning adopted in 1987, and subsequent regulations and policy statements. Such goals include encouraging the location of new commercial development away from the heavily-developed financial district and promoting historic preservation and downtown housing development.

Community Participation Process

The Central Artery District Plan and zoning controls have been developed over the past 5 years through a public review process with the participation of environmental, neighborhood, community, and business groups to ensure that all needs of the affected neighborhoods and districts are addressed.

The starting point of this planning process was the 1985 publication, by the Massachusetts Department of Public Works, of the Final Environmental Impact Statement/Report for the Central Artery/Third Harbor Tunnel Project. In 1987, the Downtown Interim Planning Overlay District Zoning established the Central Artery Corridor as a Special Study Area and called for the development of affordable housing in the North End and Chinatown, parks, and open

space in the Waterfront area, and infill development and replacement parking in the Bulfinch Triangle.

The planning process continued through the Spring of 1989 with the preparation and release of four planning scenarios for the Central Artery Special Study area. These options, prepared by the Boston Society of Architects, the City of Boston, Alex Krieger, and Ricardo Bofill, ranged from a plan envisioning the corridor in its design character by dividing the large park into three separate but interconnected smaller parks within the boulevard system and clarifying the possible programs for these park spaces including the refinement of a proposal by the Massachusetts Horticultural Society to build a Boston Botanical Garden.

In the fall of 1990, the community participation process was furthered by the establishment of the Joint Development Working Group that has been participating in the planning and development of the zoning that is before the Board today.

Since the Board hearing on December 13, 1990, staff has continued to work with the 33 member Central Artery Air-Rights Joint Development Working Group, the Boston Civic Design Commission, the Massachusetts Department of Public Works, the Massachusetts Historical Commission, the City of Boston Transportation Department, and other city and state agencies to refine the plan and zoning. During this period, the decision on the Draft Supplemental Environmental Impact Statement also was issued by the Secretary of Environmental Affairs. In addition to numerous refinements to the Zoning, several changes have been made to the Plan and Zoning as a result of this process and decision. The majority of these changes are reflected in the zoning which implements the plan.

In response to the Secretary's decision, the optional hotel that was permitted in the Zoning on Parcel 17N in the Waterfront/Government Center area has been eliminated, and the Zoning now provides for approximately 75% open space and public on the 22 acre air-rights area of the Central Artery pathway. Extensive urban design guidelines and dimensional controls have been incorporated in the Zoning in response to the Civic Design Commission's concerns and through careful analysis with the Working Group. The Zoning also provides clarity and direction to the plan and recognizes the linear attributes as well as the district character of the air-rights area consistent with recommendations of BCDC and the BSA. Other changes and additions also were made to the zoning reinforcing and protecting the amount and quality of open space in response to the GreenSpace Alliance, the Boston Natural Areas Fund, and other advocates of environmental quality in Downtown Boston.

Central Artery Special District Zoning

The Central Artery Special District Zoning covers sections of six downtown zoning districts: Bulfinch Triangle District, the North

End Neighborhood, Government Center/Markets District, Financial District, South Station Economic Development Area, and Chinatown District. Each of these zoning districts already incorporates or will incorporate a Central Artery subarea which references the Central Artery Special District. In particular, in connection with the Chinatown, Government Center/Markets District, and South Station Economic Development Area zoning texts and maps, technical changes will need to be made to recognize the Central Artery areas of these districts. Subsequent zoning for the North End, Bulfinch Triangle, and Financial District will incorporate these provisions. This approach recognizes the Central Artery as a unique planning area which references the Central Artery Overlay District Zoning Article. The Overlay District provides in one document the open space provisions, height, FAR lot coverage and use controls for the Central Artery parcels. The Overlay includes fine grained controls an extensive design guidelines on a parcel-by-parcel basis. It also articulates the planning objectives for each area that provide further guidance in application of the zoning controls and design guidelines.

The Zoning recognizes the unique historic characteristics of the districts through which it passes, and also establishes one Special Study Area. Parcel 20, the current site of a Boston Edison electric substation for the downtown, is established as a Special Study Area in order to provide for further analysis and refinement of the underlying zoning and design guidelines for this site. The analysis will look at issues including economic viability and reuse of the site, design guidelines in relation to the proposed adjacent Botanical Garden/Conservatory and adjacent historic buildings, and relation to the remainder of the Boston Edison site which abuts the Fort Point Channel and includes tidelands.

The Zoning provides for a balanced system of new parks and open spaces, cultural and recreational facilities, retail/service uses, and residential development that will:

- ▶ Create a park system and series of urban amenities adjacent to the Financial District and Faneuil Hall in Downtown Boston, enhancing the city as a center of international commerce, as a destination for tourists from around the world, and as place to live and enjoy the life of the city.
- ▶ Transform the surface roadways within the corridor into tree-lined boulevards extending from Causeway Street through Chinatown.
- ▶ Create neighborhood parks in both Chinatown and the North End to address community open space and recreational needs.
- ▶ Provide opportunities for residential and commercial development in locations appropriate for new growth in the Waterfront District, Bulfinch Triangle, and the Chinatown Gateway parcels;

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- ▶ Create up to 1,000 units of new housing in the North End, Chinatown, and Bulfinch Triangle districts;
 - ▶ Provide for the restoration of the original urban plan by Charles Bulfinch for the Bulfinch Triangle through appropriately-scaled commercial development; and
 - ▶ Implement a surface road and sidewalk network that extends the existing city street pattern and allows for conventional intersections to facilitate pedestrian flow along and across the corridor through the rebuilding of seven historic streets which will link the downtown and adjacent neighborhoods to the harbor.

Staff feels that it is appropriate at this time to move forward with the Central Artery Overlay District Zoning in order to ensure that the park plan is formalized prior to final engineering design work and the commencement of construction on the depressed highway.

An appropriate vote follows:

VOTED: That in the matter of the Central Artery Overlay District Zoning, the Director is hereby authorized to petition the Zoning Commission to adopt the Central Artery Special District zoning text and map amendments in substantial accord with text and map amendments submitted to the Board at its meeting of April 25, 1991, and technical amendments to the Chinatown District, Government Center/Markets District, and South Station Economic Development Area zoning texts and maps to incorporate the Central Artery Area. In giving such authorization, the Board recognizes the significance of implementation of the Central Artery park plan to the environmental, economic and urban design quality, and general quality of life of the City of Boston.

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Doc BK.
(Doc # 5397)
4.25.91

Text Amendment Application No.
Boston Redevelopment Authority
Central Artery Special District

TO THE ZONING COMMISSION OF THE CITY OF BOSTON:

The Boston Redevelopment Authority petitions to amend the text of the Boston Zoning Code, as established under Chapter 665 of the Acts of 1956 as amended, as follows.

By inserting, after Article 48, the following article:

ARTICLE 49

CENTRAL ARTERY SPECIAL DISTRICT

SECTION 49-1. Statement of Purpose, Goals and Objectives. The purpose of this article is to establish special zoning regulations implementing the comprehensive plan required by the provisions of the Downtown Interim Planning Overlay District, Article 27D of this code. The goals and objectives of this article and the Central Artery Special District Plan are to direct downtown development in a way that promotes balanced growth for Boston; to improve environmental quality by directing growth to underutilized areas of the City and avoiding an oversupply of commercial space in the downtown; to protect the residential neighborhoods from encroachment by downtown development; to create affordable housing opportunities for the North End and Chinatown; to create public open space and park resources for the downtown, North End, and Chinatown, with links to the waterfront; to promote residential and mixed-use commercial activities compatible with adjacent areas; to promote uses which integrate uses, activities, and physical connections between the North End, Chinatown, downtown, and the waterfront; to provide new and expanded facilities for cultural and community services; to ensure a high quality of design of the open space, cultural, residential and commercial uses in the Central Artery Special

District; to establish design guidelines and standards to be applied by the Boston Redevelopment Authority in reviewing and approving of uses in the Central Artery Special District; and to create a new surface street and pedestrian network that is compatible with the existing character and conditions within each of the districts and improves the existing street and pedestrian environment.

SECTION 49-2. Recognition of the Central Artery Special District Plan. In accordance with Section 27D-18 of this code, which requires production of comprehensive planning policies, development controls, and design guidelines for the Downtown Interim Planning Overlay District, the Zoning Commission hereby recognizes Boston 2000: A Plan for the Central Artery (adopted by the Boston Redevelopment Authority on December 13, 1990, and as amended) and herein referred to as the "Central Artery Special District Plan" as the general plan for the Central Artery Special District. The Central Artery Special District Plan shall also serve as the portion of the general plan for the City of Boston applicable to the Central Artery Special District. This article is an integral part of and one of the means of implementing the Central Artery Special District Plan, the preparation of which is pursuant to Section 70 of Chapter 41 of the General Laws, Section 652 of the Acts of 1960, and Section 3 of Chapter 4 of the Ordinances of 1952.

SECTION 49-3. Physical Boundaries. The provisions of this article are applicable only in the Central Artery Special District. The boundaries of the Central Artery Special District are as shown on "Map ____" of the series of maps entitled "Zoning Districts-City of Boston," as amended. Within the Central Artery Special District, there are identified 30 parcels of land numbered sequentially 1

through 26 and also including Parcels 1A, 2A, 11A, and 26A. Parcel 7 is subdivided into two parcels designated 7W and 7E. Similarly, Parcel 17 is subdivided into two parcels designated "17N" and "17S," Parcel 18 is subdivided into parcels designated "18N" and "18S," and Parcel 22 is subdivided into parcels designated "22N" and "22S". It is intended that the parcels identified only by a number correspond to parcels as identified and numbered in the Final Supplemental Environmental Impact Statement/ Report (FSEIR/S) regarding the Central Artery (I-93)/Tunnel (I-90) Project, dated November 1990, submitted by the Massachusetts Department of Public Works ("MDPW"). Parcels identified with the suffix "A" are adjacent to parcels in the Central Artery right-of-way as identified by MDPW and are being planned in coordination with parcels in the right-of-way. The "N", "S", "E", and "W" designations indicate the northerly, southerly, easterly, and westerly portion, respectively, of parcels described in the FSEIR/S.

Parcel boundaries represent a future condition as proposed as of the effective date of this zoning article. The precise parcel boundaries will depend on the final alignment of surface roads and ramp structures. Therefore, it is intended that Map ____ will be interpreted to accord with the actual alignment of roads and ramps as constructed within the Central Artery Special District. If said alignment differs so substantially from that depicted on Map ____, that the numbering scheme set forth in this article cannot be applied, or if the area of any parcel as constructed differs substantially from that depicted on Map ____ then an amendment to said map or to this article, or both, may be required.

SECTION 49-4. Applicability. This Article, together with the rest of this Code, constitutes the zoning regulation for the Central Artery Special District and

applies as specified in Section 4-1 regarding the conformity of buildings and land to this Code. Zoning relief, in the form of exceptions from the provisions of this article pursuant to Article 6A, is not available except to the extent expressly provided in this article or Article 6A. Application of the provisions of Article 27E to the Central Artery Special District is rescinded, and the provisions of the Central Artery Subarea of the Downtown Interim Planning District are extinguished as of the effective date of this article, except as provided below. Where conflicts exist between the provisions of this article and the remainder of the Code, the provisions of this article shall govern. Except where specifically indicated in this article, the provisions of this article supersede Section 8-7, and Articles 13 through 24 of this Code for the Central Artery Special District.

SECTION 49-5. Relationship to Other Districts. Parcels within the Central Artery Special District shall also be deemed part of adjacent zoning districts for all purposes under this Code, as follows:

1. Bulfinch Triangle District (Article 46): Parcels 1, 1A, 2, 2A, 3.
2. North End Neighborhood District (Article ____): Parcels 4, 5, 6, 8, 10, 11, 11A, 12, 13.
3. Government Center/Markets District (Article 45): Parcels 7W, 7E, 9, 14, 15, 16, 17N, 17S.
4. Financial District (Article ____): Parcels 18N and 18S, 19, 20, 21, 22.
5. South Station Economic Development Area (Article 40): Parcel 23N.

6. Chinatown District (Article 43): Parcel 23.

SECTION 49-6. Use and Dimensional Regulations Applicable in the Central Artery Special District.

1. Within the Central Artery Special District, the uses of each parcel, identified in Sections 49-9 through 49-12 are allowed, conditional, or forbidden as set forth in said Section. No land or Structure in said subdistricts or areas shall be erected, used, or arranged or designed to be used, in whole or in part, unless, for the proposed location of such use, the use is identified in said Section as "A" (allowed) or, subject to the provisions of Article 6, such use is identified as "C" (conditional). Any use not identified as allowed or conditional for a particular parcel is forbidden for that parcel.
2. Within the Central Artery Special District, accessory uses allowed or conditionally allowed under Sections 49-9 through 49-12 shall not be subject to the provisions of Article 10.
3. Within the Central Artery Special District, maximum allowed building height, FAR, lot coverage and other dimensional controls shall be applicable to each parcel as set forth in Sections 49-9 through 49-12. Except for building height, maximum lot coverage and FAR, dimensional controls shall be subject to the provisions of Article 6A, exceptions.

SECTION 49-7. The Application of Design Guidelines Within the Central Artery Special District. All Proposed Projects within the Central Artery Corridor shall be subject to design review by the Boston Redevelopment Authority, except the following Proposed Projects:

- a. Any Proposed Project limited to a change of use without material erection, demolition or alteration of any building or structure;
- b. Any Proposed Project which does not involve new construction and which shall not alter or affect more than 1,000 square feet of site area nor more than 200 square feet of exterior facade area of any existing building.

Within the Central Artery Special District, any Proposed Project to which this Section is applicable shall proceed only if the Boston Redevelopment Authority finds that the Proposed Project is generally consistent with the design guidelines set forth with respect to individual parcels in Sections 49-9 through 49-12 and with respect to the Central Artery Special District generally in Section 49-8.

- (1) Procedure for Approval of Proposed Project. Each application for a permit for a Proposed Project subject to the provisions of this section shall be filed in duplicate with the Inspectional Services Department, which shall retain one copy for its files and transmit the other copy to the Boston Redevelopment Authority. The Boston Redevelopment Authority may find that the Proposed Project is generally consistent with the design guidelines set forth in Section 49-

13 and Section 49-14, is not consistent with said guidelines, or may request additional information from the Applicant and notify the Inspectional Services Department of such request; provided that if no such findings or notice are transmitted to the Inspectional Services Department within forty-five days of the receipt by the Boston Redevelopment Authority of the application for a Proposed Project, the Inspectional Services Department may proceed to process and issue the permit in accordance with normal procedures.

SECTION 49-8. Design Guidelines Applicable Generally in the Central Artery Special District. In order to ensure that the restoration of the surface parcels, Boulevards and cross streets of the Central Artery Special District are of a high quality design that benefits the City of Boston, the following design guidelines are applicable generally to all Proposed Projects in the Central Artery Special District.

1. Interim Restoration Design Guidelines Applicable Generally in the Central Artery Special District. In order to protect the safety and health of the public, enhance the visual character of the District and adjacent uses, and protect the physical integrity of adjacent parcels and uses during the reconstruction period of the surface boulevards, cross streets and reuse parcels, following the completion of work in connection with the Central Artery Project in a given parcel and prior to the commencement of work on the permanent surface use of said parcel, the following guidelines shall be applicable.

- a. To the extent practicable, such parcels should be landscaped and maintained to permit safe convenient public access.
- b. Use of such parcels for parking, storage of equipment or materials (other than for the Central Artery Project), or for high intensity uses such as pushcart vending is strongly discouraged.
- c. During any such interim period, parcels shall be graded in conformity with adjacent grades and shall be engineered and landscaped so as to prevent the accumulation of water, avoid damage to neighboring foundations of buildings, and/or the tunnel structure and its appurtenant structures and to protect public safety and welfare.

2. Consistency With the Central Artery Special District Plan. Any Proposed Project within the Central Artery Special District shall be reviewed for consistency with the conceptual design and programming objectives and specific recommendations set forth in the Central Artery Special District Plan.

3. Design Particularity and Continuity. The primary design organization for the overall District should recognize that each of the six districts (Bulfinch Triangle District, North End Neighborhood District, Government Center Markets, Financial Districts, South Station Economic Development Area, and Chinatown District) of the Central Artery Special District has a distinct character that should be reflected in

parcel design and cross street design. At the same time, it should recognize that the districts are connected by the north/south Boulevards and sidewalks which define the edges of the overall project and which design should provide for continuity among the districts and transitions from one district to the next.

4. Quality Standards for Parks, Open Space, Sidewalks, and Streets. The quality of design and construction for open areas within the Central Artery Special District, including landscaping, paving materials, street furniture, light standards, amusements, and decorative elements, should be consistent with that of the major public and private downtown open spaces of Boston including Waterfront Park, Post Office Square, Copley Square, the public spaces of Faneuil Hall/Quincy Markets and Rowes Wharf, and the streetscape of successful pedestrian streets such as Charles Street and Washington Street at Downtown Crossing.

5. Establishing the Boulevards. The design and construction of each Proposed Project should develop and reinforce the character of the north- and southbound surface Boulevards as tree-lined streets connecting the parcels and subdistricts of the Central Artery and providing a sense of continuity for the District as a whole. These boulevards will provide new, stronger links _____ existing and proposed downtown developments. In addition, the boulevards will reconnect the downtown neighborhoods of Chinatown and the Old West End to the Waterfront. These boulevards will create new north/south pedestrian connections which do not exist presently.

Trees, evenly spaced approximately 25 feet on-center in either single or double rows, sidewalk paving, street furniture and lighting along the boulevards should provide the primary organizational design elements for the boulevards and should be reinforced through the infilling and rehabilitation of buildings along the corridor. Trees should be selected from a variety of tree forms and types suitable for streetscape plantings. Trees should not be less than 4-1/2 inch caliper upon initial planting. Wherever technically feasible, boulevards and their cross streets between Causeway Street and Kneeland Street should be planted on both sides with at least a single row of street trees along each of the sidewalks, unless otherwise specified in Central Artery Special District Plan or in design review. Each sidewalk and its street crossing of the Boulevards or Cross Streets should be delineated by special paving materials such as granite or brick pavers and should continue the width of the sidewalk which it is extending or connecting.

6. District Open Space Form. Parcels 13 through 17S and Parcels 18 through 22S form two long north/south axes that should be designed to enhance the linear organization down the center of the parcels. The central axis may be a view corridor, a pedestrian or activity area, architectural elements or circulation path within a building or an overall design concept which visually connects the parcels to the gateway plazas Dewey Square, to Rowes Wharf/High Street, and Rowes Wharf/High Street to Waterfront Park/Faneuil Hall. For the neighborhood Parcels 8 and 10, in the North End and Parcel 23 in Chinatown an equal effort should be developed to reinforce the diagonal

crossing of the parcel as well as the cross streets of Hanover Street, North Street, Sudbury Street, Atlantic Avenue and Beach Street. The internal paths within the latter parcels may be more flexible than in the downtown waterfront and Financial District parks and should, in fact, reinforce the diagonal pedestrian cross-parcel movement.

7. Design Guidelines for Cross Streets. As an integral element to the overall Central Artery Plan, the cross street will serve to reconnect Boston's historic streets to Boston harbor. The plan provides for the reconnection of seven historic streets across the Central Artery toward the waterfront. These streets include Traverse Street, Hanover Street, North Street, Atlantic Avenue, Broad Street, Oliver Street and Pearl Street. Except for North Street, all seven streets extend the downtown pedestrian and vehicular network across the Artery. North Street provides for only a direct pedestrian connection. Wherever technically feasible, the layout and design of the intersections between the Boulevards and the Cross Streets should be typical right angle intersections with a pedestrian phase signal and cross walks for each of the four directions except where exit or entry ramps prohibit such a pedestrian crossing. The entire section of Hanover Street, State Street, High Street and each of the cross streets within the Waterfront district between State Street and High Street should also be paved with special feature pavement in order to reduce the visual separation between the parcels. The raising of the street grades for Milk Street and India Row should be considered in order to further enhance the connection between the waterfront parcels.

8. Design Guidelines for New Infill Buildings and Boulevard Public

Buildings. New buildings on Parcels 1, 1A, 2, 2A, 5, 7, 9, 11, 11A, and 20 rooftop additions, and facade renovations should be designed such that the exterior proportions, scale, massing, window treatment, materials, colors, and architectural detailing are compatible with the observable architectural character of the existing structures in the adjacent neighborhood. New public buildings on Parcels 6, 12, 17N, 19 and 21 should be designed such that their exterior proportion scale, massing, window, treatment, materials, colors and detailing establish a unique building design vocabulary that sets these public buildings apart from their surrounding district buildings. These buildings should establish a visual presence along the corridor both day and night through the use and incorporation of lights and transparent glazing.

9. Sidewalk Dimensions for the Boulevards and Cross-Streets. Sidewalk width for the Boulevards, the parcels which parallel the Boulevards, the cross-streets, and the pedestrian crossings shall follow generally the dimensional requirements outlined below:

- a. The width of the outer Boulevard sidewalks (east side of the northbound Boulevard, west side of the southbound Boulevard) may vary from parcel to parcel because of the existing buildings which face the corridor. However, the minimum dimension generally should not be less than 12 feet unless restricted by existing buildings, and the maximum dimension should not exceed 25 feet except as follows:

(i) along the northbound Boulevard between Hanover Street and Endicott Street, width should not exceed 35 feet.

(ii) The sidewalk width should be at least 25 feet in front of Market Place Center, the Long Wharf Marriott Hotel, Rowes and Foster Wharf, and the Federal Reserve Bank Building.

(iii) A plaza space of approximately 45 feet in sidewalk width should be developed in front of the Government Center Garage for the entire length of that block.

b. The width of the inner Boulevard sidewalks (west side of the northbound Boulevard, east side of the southbound Boulevard) should not be less than 7 1/2 feet nor more than 12 feet, except as follows:

(i) on Parcels 19, 21 and 22 the sidewalk width should not exceed 20 feet.

c. The sidewalks along the cross-streets should not exceed 15 feet in width along the entire corridor except as follows:

(i) On State Street and the southern sidewalk of Pearl Street, the sidewalk width should not exceed 30 feet.

d. The width of pedestrian-only crossings which extend adjacent streets or pedestrian pathways across the Central Artery corridor

should not exceed thirty (30) feet. These crossings include the following:

- (i) Salem Street extension.
- (ii) North Street extension, as the southerly portion of Parcel 10.
- (iii) Walk-to-the-Sea extension.
- (iv) Broad Street extension.
- (v) Dewey Square, as the extension of Federal Street.

SECTION 49-9. Regulations Applicable to the Bulfinch Triangle/Central Artery Area. The purpose of zoning regulations applicable within the Bulfinch Triangle/Central Artery Area is to encourage appropriate residential and commercial development, and restore the traditional urban plan and scale of the Bulfinch Triangle/Central Artery Area. The significant housing development, ground floor retail and service uses planned for this area will promote a vital residential and mixed-use neighborhood.

1. Parcel 1

- a. Use Regulations. Allowed uses on Parcel 1 shall be Transportation Uses, Retail Uses, Office Uses, Residential Uses, Service and Trade Uses. Parking on Parcel 1 shall be conditionally allowed.
- b. Dimensional Regulations. On Parcel 1, the maximum allowed FAR shall be 8 and the maximum allowed building height shall be 100 feet. For any building facade greater than 80 feet in height on Causeway Street shall be a setback of 25 feet at the 65 foot height level.

- c. Design Guidelines. The following design guidelines shall be considered by the Boston Redevelopment Authority in the review of any Proposed Project on Parcel 1 subject to Section 49-7.
- (i) If the northbound access ramp to the Central Artery Tunnel below Parcel 1 ("WCN Ramp") is not constructed, vehicular access to Parcel 1 should be located along (new) Beverly Street. If a bus station is proposed, all vehicular entrance should be located to assure adequate bus queuing inside the station. The bus station exit should be located along New Haverhill Street to provide direct access to the north- and southbound boulevards. If a public parking garage is proposed the entrance and exits should be located close to Traverse Street to provide adequate queuing space along Beverly Street. If, however, the WCN Ramp is constructed, all vehicular access to the site should be from New Haverhill Street.
 - (ii) Retail shops, vending kiosks and newspaper stands should be incorporated within the ground floor design of the bus station.
 - (iii) A minimum sidewalk width of fifteen (15) feet along New Haverhill Street should be provided. However, fifty percent (50%) of such sidewalk could be incorporated into an arcade structure. For the remaining three sides of the

parcel a minimum sidewalk width of ten (10) feet should be provided.

2. Parcel 1A

- a. Use Regulations. Allowed Uses in Parcel 1A shall be Retail Uses; Office Uses; Residential Uses; Service and Trade Uses; and bus station and subway access.
- b. Dimensional Regulations. On Parcel 1A, the maximum allowed FAR shall be 8 and the maximum allowed building height shall be 100 feet. For any building facade greater than 80 feet on Causeway Street there shall be a setback of 25 feet at the 65 foot height level.
- c. Design Guidelines. The following design guidelines shall be considered by the Boston Redevelopment Authority in the review of any Proposed Project on Parcel 1A subject to design review pursuant to Section 49-7.
 - (i) A pedestrian concourse surrounded by retail space should be the objective for the proposed building's ground floor design in order to respond to pedestrians entering and exiting from the underground MBTA station and the ground level retail uses. Transparent facade treatment along the ground floor generally should be incorporated to provide visual connection between the public sidewalks and the MBTA interior concourse. Lobby and elevators should be

accessible directly from the streets surrounding the block to maintain security and privacy for uses not on the ground level.

- (ii) The proposed buildings should preserve the existing sidewalk width along Canal Street. For the remaining three sides, a minimum width sidewalk of ten (10) feet should be established.
- (iii) Any proposed use and development of this parcel should allow for the extension of Traverse Street along its existing alignment.

3. Parcel 2

- a. Use Regulations. Allowed Uses in Parcel 2 shall be Residential Uses; Office Uses; and Local Retail/Service Uses.
- b. Dimensional Regulations. On Parcel 2, the maximum allowed FAR shall be 8 and the maximum allowed building height shall be 100 feet. For any facade greater than 35 feet in height on Canal Street there shall be a 30-foot setback at the 35-foot height level.
- c. Design Guidelines. The following design guidelines shall be considered by the Boston Redevelopment Authority in the review

of any Proposed Project on Parcel 2 subject to design review pursuant to Section 49-7.

- (i) Any proposed building on Parcel 2 should limit its service access and/or drop-off on Traverse Street through a one-way loop system to reduce traffic impacts associated with the automobile circulation patterns.
- (ii) Lobby entry and elevators should be accessed from Traverse Street in order to reinforce, reduce impacts associated with the automobile circulation patterns along Traverse and Canal Street.
- (iii) The building on Parcel 2 should continue the street walls of North Washington Street and the extension of New Chardon following the existing massing of the Bulfinch Triangle. A special architectural feature such as a tower form, bay window extension, or other building element in the facade should be incorporated into the design of the corner of North Washington Street and New Chardon Street because it will be highly visible from the tunnel off-ramp.

4. Parcel 2A

- a. Use Regulations. Allowed Uses in Parcel 2A shall be Office Uses; Local Retail/Service Uses; Residential Uses; and ancillary structures necessary for operation of the MBTA Green Line and the Central Artery, such as exit facilities emergency.

b. Dimensional Regulations. On Parcel 2A, the maximum allowed FAR shall be 8 and the maximum allowed building height shall be 100 feet. For any facade greater than 35 feet in height on Canal Street there shall be a 30 foot setback at the 35 foot height level.

c. Design Guidelines. The following design guidelines shall be considered by the Boston Redevelopment Authority in the review of any Proposed Project in Parcel 2A subject to design review pursuant to Section 49-7.

(i) The ground floors should be able to accommodate both existing pedestrian-oriented retail uses along Canal Street and the existing MBTA service facility which is located within the parcel.

(ii) Any proposed building design for this parcel should preserve and incorporate the existing historic building on Canal Street and the existing MBTA service facility on the site.

(iii) Any new building within Parcel 2A should preserve the existing sidewalk width along Canal Street. In addition, the building should continue the existing street wall of New Chardon Street extension.

- (iv) Any development should allow for the extension of Traverse Street along its existing alignment.

5. Parcel 3

- a. Open Space Designation. Parcel 3 is hereby established as an Open Space Subdistrict and shall be subject to the provisions of Article 33 applicable to Urban Plaza Open Space (OS-UP) Subdistricts. In addition, the provisions of this Article shall apply. In the event of a conflict between Article 33 and this Article, the provisions of this Article shall govern.
- b. Use Regulations. Allowed Uses on Parcel 3 shall be those uses allowed in Urban Plaza Open Space Subdistricts pursuant to Section 33-15.
- c. Dimensional Regulations. No buildings shall be allowed on Parcel 3.
- d. Design Guidelines.

The following design guidelines shall be considered by the Boston Redevelopment Authority in their review of any Proposed Project on Parcel 3 subject to design review pursuant to Section 49-7:

 - (i) The design of Parcel 3 should reinforce the streetscape plans developed for North Washington Street and the Bulfinch Triangle, as well as the pedestrian connections

between the North End and the Bulfinch Triangle along the Traverse Street corridor.

- (ii) This open space should be enclosed in a manner that is similar to other enclosed open spaces in the North End with plantings and an ornamental fence with a maximum height of four (4) feet, in order to preserve pedestrian visibility. Low walls and/or dense shrubs could be incorporated with the fence in order to separate the street from the plazas and to reduce the noise from vehicular traffic.

SECTION 49-10. Regulations Applicable to the North End/Central Artery

Area. The purpose of zoning regulations applicable within the North End/Central Artery Area is to permit the construction of a significant amount of family, elderly and affordable housing. The creation of parks, playgrounds, sports facilities and passive recreation areas adjacent to the residential community of the North End shall be designed specifically for the benefit of the neighborhood's families and elderly population. The open space should provide a front yard for the community and buffer between Government Center and the residential area. Community facilities for neighborhood recreational use shall be established, including a community recreational building intended to serve as the center of community activity and meetings.

1. Parcel 4

- a. Open Space Designation. Parcel 4 is hereby established as an Open Space Subdistrict and shall be subject to the provisions of

Article 33 applicable to Urban Plaza Open Space (OS-UP) Subdistricts. In addition, the provisions of this Article shall apply. In the event of a conflict between Article 33 and this Article, the provisions of this Article shall govern.

b. Use Regulations. Allowed Uses on Parcel 4 shall be those uses allowed in Urban Plaza Open Space Subdistricts pursuant to Section 33-15.

c. Dimensional Regulations. No buildings shall be allowed on Parcel 4.

d. Design Guidelines.

The following design guidelines shall be considered by the Boston Redevelopment Authority in their review of any Proposed Project as Parcel 4 subject to design review pursuant to Section

(i) The design of Parcel 4 should reinforce the streetscape plans developed for North Washington Street and the Bulfinch Triangle, as well as the pedestrian connections between the North End and the Bulfinch Triangle along the Traverse Street corridor.

(ii) The open space should be enclosed in a manner that is similar to other enclosed open spaces in the North End with plantings and an ornamental fence with a maximum height of four (4) feet, in order to preserve pedestrian

visibility. Low walls and/or dense shrubs could be incorporated with the fence in order to separate the street from the plazas and to reduce the noise from vehicular traffic.

2. Parcel 5

- a. Open Space Designation. Parcel 5 is hereby established as an Open Space Subdistrict and shall be subject to the provisions of Article 33 applicable to Urban Plaza Open Space (OS-UP) Subdistricts. In addition, the provisions of this Article shall apply. In the event of a conflict between Article 33 and this Article, the provisions of this Article shall govern.
- b. Use Regulations. Allowed Uses on Parcel 5 shall be those uses allowed in Urban Plaza Open Space Subdistricts pursuant to Section 33-15. Restaurant Use on Parcel 5 shall be conditionally allowed.
- c. Dimensional Regulations. On Parcel 5, the maximum allowed FAR shall be 2 and the maximum building height shall be 35 feet for any Restaurant that is permitted.
- d. Design Guidelines.
The following design guidelines shall be considered by the Boston Redevelopment Authority in their review of any Proposed

Projection Parcel 5 subject to design review pursuant to
Section 49-7:

- (i) This parcel should be designed for limited neighborhood recreational activities such as tot lots and seating areas.
- (ii) The design of this parcel should reinforce the streetscape plans developed for North Washington Street as well as the pedestrian connections between the North End and the Bulfinch Triangle along the Traverse Street corridor.
- (iii) The perimeter of the open space should be enclosed in a manner that is similar to other enclosed open spaces in the North End with plantings and an ornamental fence with a maximum height of four (4) feet, in order to preserve pedestrian visibility. Low walls and/or dense shrubs could be incorporated with the fence in order to separate the street from the plazas and to reduce the noise from vehicular traffic.

3. Parcel 6

The proposed building for Parcel 6 shall allow for a Community and Cultural Uses and recreational uses in a building above the access ramps to the Central Artery Tunnel. An open space forecourt and/or paved recreational area which could include outdoor ball courts should be included in the parcel. The urban design of the public building should recognize the significance of Parcel 6 as a critical point of

pedestrian connection and transition between the North End Government Center and the Bulfinch Triangle. Careful attention should be given to the orientation of the building to each of these neighborhoods.

- a. Open Space Designation. Parcel 6 is hereby established as an Open Space Subdistrict and shall be subject to the provisions of Article 33 applicable to Recreation Open Space (OS-RC) Subdistricts. In addition, the provisions of this Article shall apply. In the event of a conflict between Article 33 and this Article, provisions of this Article shall govern.
- b. Use Regulations. Allowed Uses on Parcel 6 shall be those uses allowed in Recreation Open Space Subdistricts pursuant to Sections 33-10. In addition, Community Uses shall be allowed.
- c. Dimensional Regulations. If a Community Use is created on Parcel 6, the maximum allowed FAR shall be 4 and the maximum allowed building height shall be 55 feet above the top of the ramp structure. There shall be no lot coverage restriction for Parcel 6; lot coverage shall be determined through design review.
- d. Design Guidelines. The following design guidelines shall be considered by the Boston Redevelopment Authority in the review of any Proposed Project on Parcel 6 subject to design review pursuant to Section 49-7.

- (i) The community facility for recreational and cultural activities proposed for Parcel 6 should be designed to mitigate the visual impact of the tunnel ramps on this parcel. If a building is not built, a series of terraces enclosed by fences and/or walls should be provided to accommodate active recreational uses such as basketball or volleyball courts.
- (ii) The proposed community building's southern facade which faces Parcel 8, should help create a sense of enclosure for North End neighborhood parks (Parcels 8 and 10), and present a facade that conveys the civic character of an important neighborhood facility. The east and west facades located along the two boulevards and the north facade should be designed and organized in response to programmatic and infrastructure demands of the tunnel ramps, and should be compatible with the architecture of the adjacent buildings. The design of the north facade should reflect its importance as the gateway portal into the sub-surface artery tunnel.
- (iii) Primary pedestrian access to the community facility should be provided at ground level or raised plaza located in front of the southern facade. The building should provide an adequate space to serve as an exterior arrival plaza and vehicular drop-off along the southern facade. Additional

access points through an above grade pedestrian bridge which connects to adjacent Parcel 5 and the Government Center Garage area are encouraged and should be located on the northern facade.

- (iv) An emergency sidewalk with a minimum width of two and one-half (2 1/2) feet should be constructed along the two boulevard sides of the structure; an approximately fifteen (15) foot wide sidewalk should be incorporated into the plaza design at the southern end of the building. Due to the proposed ramps, no access is recommended at grade for the north elevation.
- (v) The service access to Parcel 6 should be designed to be an integral element within the architecture of the building, and not impact the sidewalk or the proposed entry plaza.

4. Parcels 8 and 10

- a. Open Space Designation. Parcels 8 and 10 are hereby established as Open Space Subdistricts. Parcel 8 shall be subject to the provisions of Article 33 applicable to Recreation Open Space (OS-RC) Subdistricts. Parcel 10 shall be subject to the provisions of Article 33 applicable to Parkland Open Space (OS-P) Subdistricts. In addition, the provisions of this Article shall apply. In the event of a conflict between Article 33 and this Article, the provisions of this Article shall govern.

- b. Use Regulations. Allowed Uses on Parcel 8 shall be those uses allowed in Recreation Subdistricts pursuant to Section 33-10. Allowed Uses on Parcel 10 shall be those uses allowed in Parkland Subdistricts pursuant to Section 33-9. In addition, outdoor Community Uses and cafes shall be allowed on Parcels 8 and 10.
- c. Dimensional Regulations. On Parcels 8 and 10, the maximum allowed building height shall be 35 feet. The maximum Lot Coverage for Parcel 8 shall be fifteen (15%) percent. The maximum Lot Coverage for Parcel 10 shall be five (5%) percent. The maximum allowed footprint area for any individual building in Parcel 8 shall be 1,200 square feet. The maximum allowed footprint area for any individual building on Parcel 10 shall be 600 square feet.
- d. Design Guidelines. The following design guidelines shall be considered by the Boston Redevelopment Authority in the review of any Proposed Project on Parcels 8 and 10 subject to design review pursuant to Section 49-7. Parcels 8 and 10 should be programmed, designed, and detailed for the primary benefit of the adjacent North End community through the development of a series of spaces which invite both residents and visitors to use the park while clearly delineating a neighborhood presence and oversight of the park. The spaces should vary in scale, design and character, to allow a diversity of activity areas such as safe

spaces for small groups of children to play and a large plaza for the traditional neighborhood festivals. Each parcel may have an individual design and program. However, a common set of design elements should define the outside edges of both parcels and along Hanover Street in order to integrate the two parcels as one single neighborhood park.

- (i) Within Parcels 8 and 10 there should be a combination of active and passive recreational activities located to be compatible with and expand the use of any adjacent community facility on Parcel 6. Parcel 10 should contain a generous and open grassy area for informal or passive recreation, screened from the adjacent traffic. A variety of seating areas, small tot lot/play areas and game tables could be located around the outside edge of this primarily lawn open space parcel. The design should be programmed for more passive activities. Parcel 8 should consist of a variety of active play areas for children and adults (e.g., basketball courts, volleyball courts, activities for elders) and should be designed to withstand higher levels of activity. In addition, a large tot lot/play area should be included in a portion of this parcel.

- (ii) The area on either side of Hanover Street in both Parcels 8 and 10 and the Hanover Street right-of-way should be designed as a paved plaza that establishes a formal gateway and festival plaza for the North End, while also extending

Hanover Street to reconnect the North End to the Blackstone block and the downtown.

(iii) An architectural element such as a loggia, a series of pavilions, or an arcade could enclose and define the central space along Hanover Street. Steps or seating should be incorporated within the structure to accommodate the change of grade along Hanover Street. A series of flags or gateway festival banners could further define Hanover Street and plaza area.

(iv) A gate, removable bollards, or other closure device should be located within the parcel boundaries at both ends of Hanover Street where it intersects with the new boulevards in order to allow the closing of the street to vehicular through traffic during weekends or festival events.

(v) Each of Parcels 8 and 10, should be designed so that it could be secured in the evening, including gates at each path or sidewalk which enters the parcels, and a fence, wall or other element enclosing the parcel. The enclosure element would ensure the safety of the parks and play areas within the parcels and would protect the lawn and planting areas in addition to the play areas. The enclosure element should be ornamental and complementary to the other architectural and landscaping elements of the park.

- (vi) Free-standing pavilions, cafes or other structures, allowed in a Parkland Open Space Subdistrict, may be located within each of the two park areas in close proximity to the loggia structure at Hanover Street.
- (vii) No structure on Parcel 10 should obstruct the view corridor from Tremont Street to the Old North Church.
- (viii) Plant materials should be arranged to define the various activity areas and outside edges of the parcels, as well as to reinforce the view corridors. The street trees should be planted at the interior edges of the sidewalks and within the fence line as well as along the pedestrian cross-connections such as Salem Street.
- (ix) Because of the differences in elevation between the two boulevards a series of retaining walls with heights allowing for seating may be located as necessary within the parcels. A slight raise in topography is possible in the central area of Parcel 10 to correspond to the sub-surface tunnel box and adjacent roadway elevations.
- (x) Along each of the north- and south-bound boulevards, the sidewalk should have a minimum width of seven and one-half (7 1/2) feet. The extensions of North Street and

Salem Street sidewalks through the parcels should be aligned along the center line of the view corridors between Faneuil Hall and the Tunnel Authority Building and Salem Street corridor respectively, and have a minimum width of twenty (20) feet. The Sudbury Street sidewalk on the south side should be a minimum of seven and one-half (7 1/2) feet wide. The sidewalks on both sides of Hanover Street should be a minimum of twenty (20) feet in width and be an integral element of the central plaza associated with Hanover Street gateway plaza.

- (xi) Footpaths within the interior of the parcels should have a maximum width of seven and one-half (7 1/2) feet except where the path is adjacent to recreation areas or seating areas where footpaths can exceed the 7 1/2 foot maximum width.

5. Parcels 11 and 11A

- a. Use Regulations. Allowed Uses on Parcels 11 and 11A shall be Residential Uses and Local Retail/Service Uses.
- b. Dimensional Regulations. On Parcels 11 and 11A, the maximum allowed FAR shall be 4 and the maximum allowed building height shall be 55 feet. Any building on Parcels 11 and 11A shall be subject to the provisions of Section 16-8, Restricted Roof Structure Districts, applicable to the North End.

c. Design Guidelines. The following guidelines shall be considered by the Boston Redevelopment Authority in the review of any Proposed Project on Parcels 11 and 11A subject to design review pursuant to Section 49-7. In addition, the design guidelines established for the Fulton/Commercial Street District shall be applicable.

- (i) Infill residential buildings on these parcels in the North End should be located at the back edge of the sidewalks and plazas to form an enclosure to the park Parcels 8 and 10 and to reinforce visually the existing Street Wall of the North End. Where possible, the facades generally should align with the facade of existing adjacent buildings and with buildings on adjacent streets.
- (ii) Ground Level Uses, as defined in Appendix B to this Article, should occupy those areas of the building which abut city sidewalks and streets.
- (iii) Maximum sidewalk width along the existing Cross Street and its boulevard extension between North Street and New Chardon Street should not exceed an average of twenty-five (25) feet.
- (iv) Any proposed building design for Parcel 11A shall incorporate into its design the emergency access ramp which will be located along North Street.

- (v) No structure on Parcel 11 should obstruct the view corridor from Tremont Street to Old North Church.

6. Parcel 12

- a. Use Regulations. Allowed Uses on Parcel 12 shall be Residential Uses; Community Uses; Cultural Uses; Local Retail/Service Uses. Allowed uses should accommodate bus and trolley drop-off and ticketing facility.
- b. Dimensional Regulations. On Parcel 12, the maximum allowed FAR shall be 4, and the maximum allowed building height shall be 55 feet. Any building on Parcel 12 shall be subject to the provisions of Section 16-8, Restricted Roof Structure Districts, applicable to the North End.
- c. Design Guidelines. The following design guidelines shall be considered by the Boston Redevelopment Authority in the review of any Proposed Project on Parcel 12 subject to design review pursuant to Section 49-7.
 - (i) The proposed building for Parcel 12 should allow for a ground level use of a bus and trolley drop-off and ticketing facility. Other ground level uses could include Retail, Cultural and Community Uses. Above this facility, an optional mixed-use development of Office, Retail and/or

Residential or Cultural and Community Uses could be provided.

(ii) The design and massing of the building on Parcel 12 should be programmed to accommodate and complement the activities of the adjacent North End and Quincy Markets areas, and designed to be compatible with the physical character of the adjacent areas.

(iii) The proposed massing and facade of the buildings should reinforce the spatial enclosure of the North End neighborhood parks. The south facade facing the waterfront area should appear to extend the Atlantic Avenue streetwall and further enclose the Waterfront Park. The facades which face the boulevards should respond to the programmatic and functional requirements of the boulevards and the ramps and below grade infrastructure demands, as well as be compatible with the architectural character of the adjacent buildings.

(iv) Primary access to the building should be provided at ground level at both the northern and southern ends of the parcel. An above-ground passageway from Quincy Markets area and into a small structure in Parcel 10 may be proposed if appropriate due to high pedestrian flows and potential conflicts with ground level bus operators. In

addition, the view corridors down Commercial Street should be preserved or, if that is impractical, reflected in the massing and/or elevation of the building and not as an actual ground level opening. The view corridor down Clinton Street to Christopher Columbus Park should be preserved.

(v) Service access to Parcel 12 should occur at grade from the southbound Boulevard. The access should be designed to mitigate its impact on the street and the pedestrian environment.

(vi) A maximum sidewalk dimension of fifteen (15) feet should be observed along the north, south and west sides of the parcel. Along the eastern side where constraints exists, a minimum sidewalk dimension of two and a half (2 1/2) feet should be observed.

7. Parcel 13

a. Open Space Designation. Parcel 13 is hereby established as an Open Space Subdistrict and shall be subject to the provisions of Article 33 applicable to Urban Plaza (OS-UP) Subdistricts. In addition, the provisions of this Article shall apply. In the event of a conflict between Article 33 and this Article, the provisions of this Article shall govern.

- b. Use Regulations. Allowed Uses on Parcel 13 shall be those uses allowed in Urban Plaza Subdistricts pursuant to Section 33-15. In addition, Seasonal and Festival Uses shall be allowed. Cultural Uses on Parcel 13 shall be conditionally allowed.
- c. Dimensional Regulations. On Parcel 13 for any Cultural Use conditionally allowed, the maximum allowed building height shall be 35 feet. The maximum lot coverage shall be fifteen percent (15%). The maximum allowed footprint area for any individual building shall be 1,200 square feet.
- d. Design Guidelines. The following design guidelines shall be considered by the Boston Redevelopment Authority in review of any Proposed Project on Parcel 2 subject to design review pursuant to Section 49-7.
 - (i) Parcel 13 should be a landscaped plaza providing a forecourt to the development proposed on Parcel 12, as well as a major pedestrian connection between the North End and Faneuil Hall area.
 - (ii) The design and tree planting within the parcel should reinforce the Clinton Street view corridor to Christopher Columbus Park.

SECTION 49-11. Regulations Applicable to the Government Center/Central Artery Area. The purpose of zoning regulations applicable within the Government

Center/Central Artery Area is to promote additional open space and parkland in the downtown, increase cultural and recreational uses for the benefit of residents and visitors in the downtown area, enhance the pedestrian environment of the downtown and waterfront areas, and improve the pedestrian connections to the waterfront and expand opportunities for waterfront related-recreational activities. A winter skating rink and urban gardens and other features such as a sculpture garden, push cart retail area, and cultural exhibits should provide an opportunity for lively pedestrian activity in the Government Center/Central Artery Area.

1. Parcel 7

- a. Use Regulations. Allowed Uses on Parcel 7 shall be parking; Office Uses; Local Retail/Service Uses; and Seasonal and Festival Uses. Uses within Parcel 7 should accommodate subway access and a ventilation structure for the depressed Central Artery.
- b. Dimensional Regulations. On Parcel 7, the maximum allowed FAR shall be 7 and the maximum allowed building height shall be 80 feet.
- c. Design Guidelines. The design guidelines for a building on Parcel 7 are incorporated in the Land Disposition Agreement by and between the Boston Redevelopment Authority and the Commonwealth of Massachusetts acting by and through the Department of Public Works, dated December 22, 1988 under the title of Exhibit E, Design Guidelines and Standards.

2. Parcel 7E

- a. Open Space Designation. Parcel 7E is hereby established as an Open Space Subdistrict and shall be subject to the provisions of Article 33 applicable to Urban Plaza Open Space (OS-UP) Subdistricts. In addition, the provisions of this Article shall apply. In the event of a conflict between Article 33 and this Article, the provisions of this Article shall govern.
- b. Use Regulations. Allowed Uses on Parcel 7E shall be those uses allowed in Urban Plaza (OS-UP) Subdistricts pursuant to Section 33-15. In addition Seasonal and Festival Uses shall be allowed. Cultural Uses and/or Retail Uses on Parcel 7E shall be conditionally allowed.
- c. Dimensional Regulations. On Parcel 7E the maximum allowed building height shall be 35 feet. Maximum lot coverage for Parcel 7E shall be fifteen (15%) percent.
- d. Design Guidelines. The following design guidelines shall be considered by the Boston Redevelopment Authority in the review of any Proposed Project on Parcel 7E subject to design review pursuant to Section 49-7.
 - (i) The plaza area should be designed to accommodate push-cart vendor activities such as those found on Blackstone Street.

- (ii) The plaza area should be primarily open space with trees planted along the sidewalk edge to enclose the space. The paving design pattern could outline the dimensions of the future push-cart vending areas.
- (iii) The view corridor from Blackstone Street should be extended through Parcel 7E. The Salem Street view corridor should be terminated on Parcel 7E by an architectural element. The architectural element should be located within the parcel inside the sidewalk edges of Hanover Street and the new southbound boulevard.
- (iv) An open framed structure or a series of vertical supports with lights could be developed as a grid that would further define the push-cart stalls while allowing the vendors to use the vertical supports to support produce stands.

3. Parcel 9

- a. Use Regulations. Allowed Uses on Parcel 9 shall be Residential Uses and Local Retail/Service Uses.
- b. Dimensional Regulations. On Parcel 9, the maximum allowed FAR shall be 4, and the maximum allowed building height shall be 55 feet. Any building on Parcel 9 shall be subject to the provisions of Section 16-8, Restricted Roof Structure Districts, applicable to the North End.

c. Design Guidelines. The following design guidelines shall be considered by the Boston Redevelopment Authority in the review of any Proposed Project on Parcel 9 subject to design review pursuant to Section 49-7. In addition, the Boston Redevelopment Authority shall consider the design guidelines set forth in the Government Center Urban Renewal Plan for the Historic Blackstone Block.

(i) The proposed development should include Ground Level Uses and should extend the street wall enclosure of the North End Neighborhood Park (Parcels 8 and 10) while also allowing the Haymarket pushcart/food vendor activities to continue to occur along Blackstone Street.

(ii) The street wall setback of the proposed building facades and massing and heights along the Blackstone Block and on each of the adjacent streets should be consistent with the character of the overall block pattern and architectural scale and massing of Blackstone Block Historic Area and the North End.

4. Parcels 14, 15 and 16

a. Open Space Designation. Parcels 14, 15, and 16 along the waterfront are hereby established as an Open Space Subdistrict and shall be subject to the provisions of Article 33 applicable to Recreation Open Space (OS-RC) Subdistricts. In addition, the

provisions of this Article shall apply to Parcels 14, 15 and 16. In the event of a conflict between Article 33 and this Article, the provisions of this Article shall govern.

- b. Use Regulations. Allowed Uses on Parcel 14, 15, and 16 shall be those uses allowed in Recreation Open Space Subdistricts pursuant to Sections 33-10. In addition, Cultural Uses and cafes on Parcels 14, 15 and 16 shall be allowed. Retail Uses and Restaurant Uses on Parcels 14, 15, and 16 shall be conditionally allowed.
- c. Dimensional Regulations. On Parcels 14 and 15, buildings for a shall be conditionally allowed only within one hundred and twenty-five (125) feet of the center line of State Street. For Parcels 14, 15 and 16, the maximum allowed Lot Coverage shall be fifteen percent (15%), and the maximum allowed building height shall be 35 feet. The maximum number of floors shall be two floors above the ground floor. Buildings shall be allowed in any location on Parcel 16 and the maximum allowed building height, Lot Coverage, and number of floors shall be the same as for Parcels 14 and 15 except that if the building is predominantly transparent, as determined in writing by the Boston Redevelopment Authority in design review, then the maximum allowed building height shall be 50 feet, the maximum allowed Lot Coverage shall be twenty-five percent (25%), and the maximum number of floors above the ground floor shall be 3. The maximum allowed footprint area for

any individual building on Parcels 14 and 15 shall be 1,200 square feet.

d. Design Guidelines. The following design guidelines shall be considered by the Boston Redevelopment Authority in the review of any Proposed Project on Parcels 14, 15, and 16 subject to design review pursuant to Section 49-7.

(i) Parcels 14, 15, and 16 should be designed to serve the numbers of Boston residents, workers, and tourists who walk to and along the waterfront. As the prime tourist area in Boston the parcels should be programmed with a variety of attractions, both recreational and cultural, and which should enhance the character of the waterfront, the Market area, and Rowes Wharf area, and connect to and reinforce Harbor Walk. A maritime theme reflecting Boston's strong historic connection to the sea should be emphasized in this area.

(ii) The design of these open spaces should complement the activities and design features of Christopher Columbus Park, the Quincy Market/Faneuil Hall area, Broad Street district and the future Central Wharf development. The spaces within the parcels should vary in scale, character, and activity, yet retain a coherent district design for all three blocks.

- (iii) Special pavers should be used in the cross boulevard roadway between State Street and Broad Street to diminish the visual separation between these parcels. These cross streets should be raised to the plaza level and bollards or other elements should be located along the sidewalks of the cross streets to clearly delineate pedestrian and vehicular areas.
- (iv) In response to the construction constraints of the tunnel box, Parcels 14, 15 and 16 are anticipated to be primarily open, paved surfaces with low planters providing sufficient soil depth for trees to be planted. Planters should be used where necessary to allow street trees to continue the boulevard planting design. Planters should not be continuous structures or block visibility into the parcels. Wherever possible, planter heights should be established such that their walls may be used for seating elements.
- (v) The principle pedestrian circulation space and activity areas should occur within the central area of the parcels. The central area of the parcels is generally the center two-thirds ($2/3$) of the parcel width. For each of the parcels, the design should incorporate features such as a buffer zone with multiple rows of trees, planters and seating areas, pavilions, loggias, cafes or other structures allowed in a Recreation Open Space Subdistrict to protect and

enclose these centrally located activities and mitigate the surface traffic impacts.

- (vi) Along the north- and southbound boulevards the parcel sidewalks should have a minimum width of approximately seven and one-half (7 1/2) feet of paving. State Street sidewalks should have a minimum width of approximately fifteen (15) feet, while other cross streets in this area should have a minimum width of approximately 10 feet.
- (vii) In order to reinforce this important historic pedestrian cross artery connection, a partial Street Wall along the State Street corridor, defined by features such as loggia or other architectural structures allowed in Recreation Open Space should frame both sides of State Street and enclose the activities programmed for Parcels 14 and 15. However, in order to also retain the continuity and visual connection between the open space parcels, the height, scale and massing of any structure should not block the visual or spatial connections between the parcels. Therefore, at least fifty percent of the width of the parcel should remain visually open and accessible to pedestrians. Up to sixty six percent (66%) of the width of the Parcel could be a transparent structure, if the remaining width is open.

5. Parcel 17N

- a. Open Space Designation. Parcel 17N is hereby established as an Open Space Subdistrict and shall be subject to the provisions of Article 33 applicable to Urban Plaza Open Space (OS-UP) Subdistricts. In addition, the provisions of this Article shall apply. In the event of a conflict between Article 33 and this Article, the provisions of this Article shall govern.
- b. Use Regulations. Allowed Uses on Parcel 17N shall be those uses allowed in Urban Plaza Open Space Subdistricts pursuant to Section 33-15. In addition, Cultural Uses shall be allowed. Retail Uses and Restaurant Uses on Parcel 17N shall be conditionally allowed.
- c. Dimensional Regulations. On Parcel 17N, the maximum allowed FAR shall be 2.25, and the maximum allowed building height shall be 75 feet. The maximum allowed Lot Coverage shall be fifty percent (50%).
- d. Design Guidelines. The following design guidelines shall be considered by the Boston Redevelopment Authority in the review of any Proposed Project for a Cultural Use on Parcel 17N subject to design review pursuant to Section 49-7. If a Cultural Use is not developed on Parcel 17N, the design guidelines for Parcel 16 shall apply.

- (i) Parcel 17N together with Parcel 17S should provide for the extension of Broad Street pedestrian access and view corridor to the Harbor and should physically link the Broad Street district and the waterfront. If Parcel 17N is developed as open space it should be designed as an integral part of Parcel 17S and should extend the activities programmed for Parcel 16. If a structure is proposed for a Cultural or Community Use, its design should complement the design of any structures on Parcel 12 in order to define or enclose the waterfront park area between Parcels 12 and 17N.
- (ii) Any structure built on Parcel 17N should enclose the urban plaza in front of Rows Wharf and the High Street terminus. At the same time, the structure design should allow sufficient open space along the boulevard edges so that the park space is extended by the boulevard design and the edges of the parcel.
- (iii) Any building on Parcel 17N should be predominantly transparent and detailed in a manner that it is visually open and easily accessible to the pedestrian. The design of the building and its details should complement the designs of other buildings and architectural elements in the corridor and be expressive of its status as a public structure and feature within the corridor.

- (iv) Public access through a building should reinforce the pedestrian continuity and connection along the corridor and reinforce the design concept of a central axis within the parcels. Servicing of the building should be along either the east or west side adjacent to the boulevards and not between parcels.
- (v) Any proposed extension of the building such as an arcade could follow the line of the inside edge of the sidewalk; however, the width of the building should not visually close the sense of connection between the open space parcels of the Waterfront and the parcels of the Financial District parcels.

6. Parcel 17 South

- a. Open Space Designation. Parcel 17S is hereby established as Open Space Subdistrict and subject to the provisions of Article 33 applicable to Urban Plaza Open Space (OS-UP) Subdistricts. In addition, the provisions of this Article shall apply. In the event of a conflict between Article 33 and this Article, the provisions of this Article shall govern.
- b. Use Regulations. Allowed Uses on Parcel 17S shall be uses allowed in Urban Plaza Open Space Subdistrict pursuant to

Section 33-15. In addition, Seasonal and Festival Uses, Cultural Uses and Restaurant Uses shall be allowed uses.

- c. Dimensional Regulations. On Parcel 17S, the maximum building height shall be 35 feet. Maximum lot coverage shall be fifteen percent (15%). Maximum allowed building footprint area for any individual building shall be 1,200 square feet.

- d. Design Guidelines.

- (i) Parcel 17S is a significant site along the Central Artery corridor due to its locations at the terminuses of Broad Street and High Street, and its adjacency to a major transportation ferry terminal, Rows Wharf. Due to the high volume of pedestrians who will be crossing this parcel, a plaza should be developed to reinforce and enhance the quality of the pedestrian experience and the role of these parcels as gateways into the city.
- (ii) Parcels 17S should be developed as a major formal plaza in conjunction with Parcel 18N, fronting and centered on the Rows and Fosters Wharf archway. High Street could be paved with special pavers. Bollards could be located along the curb line in a manner that reinforces the visual connection between these two parcels.

- (iii) The view corridors and pedestrian crossings extending from Broad Street and High Street to the Harbor through the arch at Rowes and Fosters Wharf should be preserved and reinforced through dense rows of trees planted on either side.
- (iv) Small concession pavilions or other structures allowed in Parkland Open Space Subdistricts could reinforce the view corridors and the overall formal design of this plaza. Tables and chairs for seasonal use could be located throughout the formally organized trees, planting areas and paved areas.
- (v) A major sculptural element and/or water feature should be considered as a focal point on the plaza space within the parcel.

SECTION 49-12. Regulations Applicable to the Financial District/Central Artery Area. The purpose of zoning regulations applicable within the Financial District/Central Artery Area is to promote additional quality open space in the downtown, including a Botanical Garden and urban Arboretum. A Botanical Garden/Conservatory will provide cultural and educational opportunities for the public as a four-season green oasis to enjoy even in the winter months. An urban Arboretum and garden will establish a major open space area in the downtown to accommodate residents and the thousands of daily workers and visitors to the downtown. A major pedestrian plaza area at Dewey Square will

provide a significant entrance for transit commuters and visitors to the downtown.

1. Parcel 18 North

- a. Open Space Designation. Parcel 18N is hereby established as Open Space Subdistrict and subject to the provisions of Article 33 applicable to Urban Plaza Open Space (OS-UP) Subdistricts. In addition, the provisions of this Article shall apply. In the event of a conflict between Article 33 and this Article, the provisions of this Article shall govern.
- b. Use Regulations. Allowed Uses on Parcel 18N shall be uses allowed in Urban Plaza Open Space Subdistrict pursuant to Sections 33-15. In addition, Seasonal and Festival Uses, Cultural Uses and Restaurant Uses shall be allowed uses.
- c. Dimensional Regulations. On Parcel 18N, the maximum allowed FAR shall be determined by the lot coverage and height restrictions. The maximum building height shall be 35 feet. Maximum lot coverage shall be fifteen percent (15%). The maximum allowed building footprint area for any individual buildings shall be 1,200 square feet.
- d. Design Guidelines.
 - (i) Parcel 18N, together with Parcel 17S, represents a significant site along the Central Artery corridor due to its location at the terminuses of Broad Street and High Street,

and its adjacency to a major transportation ferry terminal, Rowes Wharf. Due to the high volume of pedestrians who will be crossing this parcel, a plaza should be developed to reinforce and enhance the quality of the pedestrian experience and the role of these parcels as gateways into the city.

(ii) Parcels 18N should be developed as a major formal plaza in conjunction with Parcel 17S, fronting and centered on the Rowes and Fosters Wharf archway. High Street could be paved with special pavers. Bollards could be located along the curb line in a manner that reinforces the visual connection between these two parcels.

(iii) The view corridors and pedestrian crossings extending from Broad Street and High Street to the Harbor through the arch at Rowes and Fosters Wharf should be preserved and reinforced through dense rows of trees planted on either side.

(iv) Small concession pavilions or other structures allowed in Parkland Open Space Subdistricts could reinforce the view corridors and the overall formal design of this plaza. Tables and chairs for seasonal use could be located throughout the formally organized trees, planting areas and paved areas.

- (v) A major sculptural element and/or water feature should be considered as a focal point on the plaza space within the parcel.

2. Parcel 18 South

- a. Open Space Designation. Parcel 18S is hereby established as an Open Space Subdistrict and shall be subject to the provisions of Article 33 applicable to Parkland Open Space (OS-P) Subdistricts. In addition, the provisions of this Article shall apply. In the event of a conflict between Article 33 and this Article, the provisions of this Article shall govern.
- b. Use Regulations. Allowed Uses on Parcel 18S shall be those uses allowed in an Parkland Open Space Subdistrict pursuant to Section 33-9. In addition, Arboretum, Community Uses and Restaurant Uses shall be allowed.
- c. Dimensional Regulations. On Parcel 18S, maximum lot coverage shall be fifteen percent (15%), and the maximum allowed building height shall be 35 feet. Building height shall be measured from grade unless the building is located on a raised landscaped terrace, in which case building shall be measured from the terrace. The maximum allowed footprint area for any individual building shall be 3,600 square feet.

- d. Design Guidelines. The following design guidelines shall be considered by the Boston Redevelopment Authority in the review of any Proposed Project on Parcel 18S subject to design review pursuant to Section 49-7.
- (i) The portions of Parcel 18 which are adjacent to the proposed entry and exit ramps should be designed to mitigate their visual impact. The structural covering of the ramps should allow for dense planting of trees and shrubs as well as supporting small pavilions in order to provide sufficient area and flexibility to allow the creation of an urban Arboretum.
 - (ii) In order to create a focal point in the center of the parcel, to draw pedestrians into and through the parcel, and to promote day and evening activities within this parcel on a seasonal, weekday and weekend basis, a Restaurant and/or Cultural Use should be centrally located and cover a portion of either or both of the ramps within the park.
 - (iii) The topographic changes in the parcel and the tree planting design should not obstruct views from the plazas at either end into the parcel and to any public structure within the parcel.

- (iv) Topographic changes, stepped walls, berms, and similar land form elements are encouraged to mitigate the ramps and to reinforce a natural character for the park.
- (v) Additional lighting should be considered to activate the space in the evenings and to ensure safety.
- (vi) An urban Arboretum or other landscape feature could be created incorporating a diversity of tree types in order to create a display garden and establish an educational/activity within the corridor or to create a unique landscape element which provides for public gathering and interactions.

3. Parcels 19 and 21

- a. Open Space Designation. Parcels 19 and 21 are hereby established as Open Space Subdistricts and shall be subject to the provisions of Article 33 applicable to Urban Plaza Open Space (OS-UP) Subdistricts. In addition, the provisions of this Article shall apply. In the event of a conflict between Article 33 and this Article, the provisions of this Article shall govern.
- b. Use Regulations. Allowed Uses on Parcels 19 and 21 shall be those uses allowed in an Urban Plaza Open Space Subdistricts pursuant to Section 33-15. In addition, Botanical Garden/Conservatory, including accessory office, retail,

educational, public assembly restaurant and storage uses, and Cultural Uses shall be allowed.

c. Dimensional Regulations. On Parcels 19 and 21, the maximum allowed FAR shall be 2.25 and the maximum allowed building height shall be 75 feet. However, a maximum building height of 125 feet shall be allowed for a predominantly transparent Botanical Garden/Conservatory or other Cultural Use with an atrium or domed structure similar to that of a Botanical Garden/Conservatory. Maximum lot coverage shall be approximately sixty-six percent (66%).

d. Design Guidelines. The following design guidelines shall be considered by the Boston Redevelopment Authority in the review of any Proposed Project on Parcels 19 and 21 subject to design review pursuant to Section 49-7.

(i) Parcels 19 and 21 which are proposed for Cultural and open space uses including a Botanical Garden/Conservatory proposed by Massachusetts Horticultural Society should be designed as major civic attractions and provide for environmental and educational activities within the corridor.

(ii) If a large floor area is required for programmatic reasons, the building could define the street edges along the Boulevard sides of the parcel, yet maintain adequate

sidewalks along the Boulevards and plazas at the cross streets to ensure the visual and pedestrian continuity along the larger park system. A primary building design element should respond to and extend the pedestrian movement along the center line of the downtown parcels. Where access to the center portion of the parcel is not free of charge to the pedestrians, then pedestrian movement along the Boulevard sidewalk is particularly important. Where a large volume of pedestrian activity is expected to occur in conjunction with the Botanical Garden, a pedestrian bridge connecting Parcels 19 and 21 may be permitted if necessary for safety.

(iii)

The buildings should be designed as a highly transparent structure except for service entries. The opportunity for views into the Botanical Garden/Conservatory or cultural facility from the exterior pedestrian sidewalks should be maximized. Where transparency is not feasible, walls should include creative surface features to preclude large blank surfaces.

(iv)

If the Botanical Garden/Conservatory facility requires a bus drop-off and service entry within the parcels, such drop-offs should be located in a way that does not diminish the pedestrian access into the building and along the Boulevard. The location of any bus drop-offs for the cultural facility

should be from Pearl and/or Congress Streets. The possibility of a bus or service access and drop-off below grade on Parcel 19 should be analyzed.

- (v) An approximately fifteen (15) foot wide sidewalk lined with trees should be established at the northbound side of the parcel. An approximately ten (10) foot wide sidewalk lined by trees shall be established along the southbound street. An approximately fifteen (15) foot sidewalk on both sides of Pearl and Congress Streets should be established.

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4. Parcel 20

b.a. Use Regulations. Allowed Uses on Parcel 20 shall be Local Retail/Service Uses; Cultural Uses; and accessory parking. Office Uses on Parcel 20 shall be conditionally allowed.

c.b. Dimensional Regulations. On Parcel 20, the maximum allowed FAR shall be 4 and the maximum allowed building height shall be 155 feet.

d.c. Design Guidelines. The following design guidelines shall be considered by the Boston Redevelopment Authority in the review of any Proposed Project on Parcel 20 subject to design review pursuant to Section 49-7.

- (i) Any structure on Parcel 20 should not reduce the amount or duration of direct sunlight on the Botanical Garden/Conservatory proposed for Parcels 19 and 21. The proposed vent towers should be designed to minimize new shadow casts on said Parcels. Any structures erected on Parcel 20 in addition to said vent towers should cast no additional new shadow on said parcels between 10 A.M. and 4 P.M. eastern standard on any day of the year.
- (ii) The facade along the northbound boulevard should continue the facade line established by the Russia Wharf block/530 Atlantic Avenue.
- (iii) The southern facade of the structure should be setback from the existing northern facade of the Russia Wharf block/530 Atlantic Avenue by a minimum of twenty-five (25) feet in order to preserve the view corridor from Pearl Street down to the Fort Point Channel.
- (iv) The facade height and setbacks should be compatible with buildings in the area, such as Russia Wharf block/530 Atlantic Avenue, subject to the shadow guidelines set forth in paragraph (i) above.

5. Parcels 22N and 22S (Dewey Square)

- a. Open Space Designation. Parcels 22N and 22S are hereby established as Open Space Subdistricts. Parcel 22N shall be subject to the provisions of Article 33 applicable to Parkland Open Space (OS-P) Subdistricts. Parcel 22S shall be subject to the provisions of Article 33 applicable to Urban Plaza Open Space (OS-UP) Subdistricts. In addition, the provisions of this Article shall apply. In the event of a conflict between Article 33 and this Article, the provisions of this Article shall govern.
- b. Use Regulations. Allowed Uses on Parcels 22N shall be those uses allowed in Parkland Open Space Subdistricts pursuant to Section 33-9. Allowed Uses on Parcel 22S shall be those uses allowed in Urban Plaza Open Space Subdistricts pursuant to Section 33-15. In addition, Cultural Uses; Restaurant Uses; and Local Retail/Service Uses shall be allowed on Parcels 22N and 22S.
- c. Dimensional Regulations. On Parcels 22N and 22S, the maximum allowed footprint area for any building shall be 1,200 square feet. The maximum allowed Lot Coverage shall be 5% for Parcel 22N and 25% for Parcel 22S. The maximum allowed building height at grade or on a raised landscape terrace shall be 35 feet for Parcels 22N and 22S.
- d. Design Guidelines. The following design guidelines shall be considered by the Boston Redevelopment Authority in the review

of any Proposed Project on Parcel 22 subject to design review pursuant to Section 49-7.

(i) Parcel 22 is conceived as two major spaces: Parcel 22S, a paved urban plaza at Dewey Square, and Parcel 22N, a thematic garden. The Dewey Square plaza should be a minimum of fifteen percent (15%) of the total parcel area. It should be both a gateway/performance plaza and a major pedestrian link which would allow for an unobstructed new and direct access for the high volume of pedestrian traffic from South Station to the Financial District, Downtown Crossing and Federal Street. The remaining parcel area should be developed as a Thematic Garden and complement both Dewey Square plaza and the Botanical Garden program proposed for Parcels 19 and 21.

(ii) The paved plaza should be large enough to incorporate pedestrian uses such as food vending, newspaper, or flower shops. A major piece of public sculpture should be displayed in order to create an identity and a focal point to Dewey Square and activate the space. The location of the sculpture should respond to the main entry of the South Station headhouse.

(iii) The design for of Parcel 22S, which is also known as Dewey Square, should maintain a public character and accessibility to the park; the use of high walls or mounds

that obstruct views through the park or parcel from the sidewalks is discouraged. A major view corridor from the South Station headhouse entrance towards Rowes Wharf and/or the cultural facility proposal for Parcels 19 and/or 21 should be recognized.

- (iv) In order to mitigate the existing/remaining tunnel vent stack and reduce the wind impacts upon the thematic garden, large sculptures, kiosks, and/or pavilions in addition to dense tree plantings should be considered as companions to any vent structure in Dewey Square area.
- (v) The thematic garden design should be conceived both as a pedestrian experience, as well as a visual experience from the adjacent office towers. A variety of architectural and landscaping elements such as pavilions, sculptural elements, trellises, or low walls with viewing windows to define the edges of the parcel should be integral elements in the design.
- (vi) A pedestrian entry point to the thematic garden should be located at Dewey Square. The reconstructed vent structure may be incorporated into the design of one or more of the urban design elements which will surround Dewey Square.

SECTION 49-13. Regulations Applicable to the South Station Economic Development/Central Artery Area. The purpose of zoning regulations applicable within the South Station Economic Development/Central Artery Area is to promote open space in the South Station area that provides the opportunity for passive recreational activities for the many transit commuters and visitors that enter Boston through the South Station public transportation node, and to improve pedestrian connections between the South Station, Dewey Square area and the Financial District, Leather District and Chinatown.

1. Parcel 23N

- a. Open Space Designation. Parcel 23N is hereby established as an Open Space Subdistrict and shall be subject to the provisions of Article 33 applicable to Urban Plaza Open Space (OS-UP) Subdistricts. In addition, the provisions of this Article apply. In the event of a conflict between Article 33 and this Article, the provisions of this Article shall govern.
- b. Use Regulations. Allowed Uses on Parcel 23N shall be uses allowed in an Urban Plaza Open Space Subdistrict, pursuant to Section 33-15.
- c. Dimensional Regulations. No buildings shall be allowed on Parcel 23N.
- d. Design Guidelines. The following design guidelines shall be considered by the Boston Redevelopment Authority in the review

of any Proposed Project on Parcel 23N subject to design review pursuant to Section 49-7.

- (i) Parcel 23N should be planted with rows of trees and shrubs and/or flowers in a pattern that provides for pedestrian access across the parcel to and from South Station and linearly along the inside edge of the parcel.
- (ii) Paving should define pedestrian desire lines, and benches and lighting should be provided to accommodate pedestrians.
- (iii) Special attention should be paid to the design of the Essex Street intersection, and pedestrian islands should be designed to reinforce and extend the pedestrian link between Chinatown and Dewey Square.

SECTION 49-14. **Chinatown Area/Central Artery.** Article 43, Chinatown District Zoning, establishes the Central Artery/Chinatown Area, and provides for the regulations for Parcels 23, 24, 26 and 26A. These parcels are referred to herein as the "Chinatown/Central Artery Area." The purpose of the zoning regulations applicable within the Central Artery/Chinatown Area is to provide affordable housing and residential expansion opportunities for Chinatown, create and improve open space, parkland, and recreation areas for Chinatown residents, and encourage new commercial development and community based retail uses in Chinatown. The expansion of space provides a location for festivals, for community activity, and for an Asian Garden. All parcels in the Chinatown Area,

with the exception of Parcel 23, have been zoned as Special Study Areas.

Pursuant to Section 43-8, Parcel 23 is designated as an Urban Plaza Open Space Subdistrict.

SECTION 49-15. Regulations. The Boston Redevelopment Authority may promulgate regulations to administer this Article.

SECTION 49-16. Severability. The provisions of this Article are severable, and if any such provision or provisions shall be held invalid by any decision of any court of competent jurisdiction, such decision shall not impair or otherwise affect any other provision of this Article.

SECTION 49-17. Definitions. Words and phrases defined in Appendix A to this Article, where capitalized in this Article, shall have the meanings set forth in said Appendix A.

SECTION 49-18. Appendices. The following appendices to this Article are incorporated herein:

1. Appendix A - Definitions

APPENDIX A

Definitions

For the purposes of this article only, the following words and phrases when capitalized, shall have the meanings indicated.

1. "Arboretum", an outdoor facility for the display of a diverse collection of plant materials, including trees, shrubs and flowers, in a harmonious design, with educational and cultural uses such as a children's demonstration garden and plant display garden, and accessory structures not to exceed 600 square feet each for storage and administration uses associated with such Arboretum.
2. "Botanical Garden/Conservatory", a structured facility for the display of a diverse collection of plant materials from different climate zones around the world; environmental research, educational and cultural uses associated with such facility; and accessory uses such as office, retail, restaurant and storage uses associated with such facility.
3. "Boulevards" means the one-way northbound one-way southbound pair of streets to be built above the depressed Central Artery from Dewey Square to Causeway Street.
4. "Central Artery Special District" means the area defined in Section 49-3.
5. "Central Artery Special District Zoning Plan" means the regulations imposed by this article.

6. "Community Uses", an indoor recreational building including ball courts; gymnasium; play areas; community meeting rooms for educational or craft activities; day care center or social service uses for the local community; exterior play areas including ball courts, tot lots, and seating areas; community health center or clinic or other social service uses; and accessory kitchen uses.
7. "Cultural Uses", museum, theatre (not including motion picture theatre) music hall or opera house, indoor or outdoor performance space, public art display space exhibition space for educational or cultural purposes, accessory uses such as office, retail, or restaurant associated with such use.
8. "Historic Building" means any building listed in the Boston Landmarks Commission Survey of Boston as a Category One, Category Two, Category Three, or Category Four building.
9. "Local Retail/Service Uses", limited to stores primarily serving the local retail business needs of the neighborhood; art supply store; grocery store; barber shop; beauty shop; shoe repair shop; retail bakery; restaurant; or self-service laundry.
10. "Lot Coverage", means the percentage of the Lot Area covered by the total footprint area of one or more buildings on the Lot.
11. "Office Uses", limited to offices of cultural groups; offices of community service organizations; business or professional offices; clinics; real estate,

insurance, or other agency or government office; office building; post office; bank (other than drive-in) or similar work space.

12. "Proposed Project" means the substantial demolition, erection, or extension of any structure or part thereof, or the change of use of any structure or land, or the creation of open space uses permitted under Article 49 for which the Applicant is required to obtain a building or use permit.
13. "Residential Uses", limited to multifamily dwelling, lodging or boarding house, temporary housing shelters, and Group Residence Limited. Residential uses include any Affordable dwelling units, including but not limited to Affordable dwelling units which are rental units, condominiums, or limited equity share cooperatives.
14. "Restaurant Uses", restaurant, lunch room, cafeteria, cafe or other place for the service or sale of food or drinks to the public for on-premises consumption.
15. "Seasonal and Festival Uses", pushcart vendors; temporarily installed structures such as kiosks, pavilions, farmers' market stands and similar minor structures intended to accommodate pedestrian retail needs, removed from a site on either a daily or a weekly basis; and temporary performance space.
16. "Street Wall" means the exterior wall or portion of the exterior wall of a Proposed Project that faces a street on which such Proposed Project is located, and is below the height at which a setback of a wall is required.

17. "Thematic Garden", an outdoor space enclosed by low walls, fences and buildings or other architectural features permitted in the OS-R area which provides a unique cultural and/or recreational activity within the space.
Thematic garden could include such specialty uses as: an Asian or Chinese garden, a wind chime garden, demonstration garden, sculpture garden, or other similar activities.
18. "Underlying Zoning" means all zoning regulations, with the exception of this article, which are contained in the code.
19. "Zoning Relief" means any zoning variance, exception, conditional use permit, interim planning permit, or zoning map or text change, or any other relief granted by the Zoning Commission or the Board of Appeal.

